

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Local, Federal & Veterans
 2 Affairs Subcommittee

3 Representative Yarborough offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (4) is added to section 125.01055,
 8 Florida Statutes, to read:

9 125.01055 Affordable housing.—

10 (4) Notwithstanding any other law, local ordinance, or
 11 regulation to the contrary, the board of county commissioners
 12 may approve the development of housing that is affordable, as
 13 defined in s. 420.0004, on any parcel zoned for residential,
 14 commercial, or industrial use.

15 Section 2. Subsections (1), (3), and (4) of section
 16 163.31771, Florida Statutes, are amended to read:

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17 163.31771 Accessory dwelling units.-

18 (1) The Legislature finds that the median price of homes
19 in this state has increased steadily over the last decade and at
20 a greater rate of increase than the median income in many urban
21 areas. The Legislature finds that the cost of rental housing has
22 also increased steadily and the cost often exceeds an amount
23 that is affordable to extremely-low-income, very-low-income,
24 low-income, or moderate-income persons and has resulted in a
25 critical shortage of affordable rentals in many urban areas in
26 the state. This shortage of affordable rentals constitutes a
27 threat to the health, safety, and welfare of the residents of
28 the state. Therefore, the Legislature finds that it serves an
29 important public purpose to require ~~encourage~~ the permitting of
30 accessory dwelling units in single-family residential areas in
31 order to increase the availability of affordable rentals for
32 extremely-low-income, very-low-income, low-income, or moderate-
33 income persons.

34 (3) ~~Each Upon a finding by a local government that there~~
35 ~~is a shortage of affordable rentals within its jurisdiction, the~~
36 local government shall ~~may~~ adopt an ordinance to allow accessory
37 dwelling units in any area zoned for single-family residential
38 use, except in an area of critical state concern where the state
39 caps the number of new housing units which may be built within a
40 year.

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41 (4) ~~If the local government adopts an ordinance under this~~
42 ~~section,~~ An application for a building permit to construct an
43 accessory dwelling unit must include an affidavit from the
44 applicant which attests that the unit will be rented at an
45 affordable rate to an extremely-low-income, very-low-income,
46 low-income, or moderate-income person or persons.

47 Section 3. Subsection (10) is added to section 163.31801,
48 Florida Statutes, to read:

49 163.31801 Impact fees; short title; intent; minimum
50 requirements; audits; challenges.-

51 (10) In addition to the items that must be reported in the
52 annual financial reports under s. 218.32, each county,
53 municipality, and special district must report all of the
54 following data on each impact fee charged:

55 (a) The specific purpose of the impact fee, including the
56 specific infrastructure needs to be met such as transportation,
57 parks, water, sewer, and schools.

58 (b) The impact fee schedule policy describing the method
59 of calculating impact fees, such as flat fees, tiered fees based
60 on the number of bedrooms, or tiered fees based on the square
61 footage.

62 (c) The amount assessed for each purpose and for each type
63 of dwelling.

64 (d) The total amount of impact fees charged by type of
65 dwelling.

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66 Section 4. Subsection (4) is added to section 166.04151,
67 Florida Statutes, to read:

68 166.04151 Affordable housing.—

69 (4) Notwithstanding any other law, local ordinance, or
70 regulation to the contrary, the governing body of a municipality
71 may approve the development of housing that is affordable, as
72 defined in s. 420.0004, on any parcel zoned for residential,
73 commercial, or industrial use.

74 Section 5. Paragraph (n) of subsection (1) of section
75 212.05, Florida Statutes, is added to read:

76 212.05 Sales, storage, use tax.—It is hereby declared to
77 be the legislative intent that every person is exercising a
78 taxable privilege who engages in the business of selling
79 tangible personal property at retail in this state, including
80 the business of making mail order sales, or who rents or
81 furnishes any of the things or services taxable under this
82 chapter, or who stores for use or consumption in this state any
83 item or article of tangible personal property as defined herein
84 and who leases or rents such property within the state.

85 (1) For the exercise of such privilege, a tax is levied on
86 each taxable transaction or incident, which tax is due and
87 payable as follows:

88 (n) At the rate of 3 percent of the sales price on the
89 sale of a new mobile home. For purposes of this paragraph, "new
90 mobile home" has the same meaning as provided in s. 319.001.

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91 Section 6. Paragraph (h) of subsection (3) of section
92 320.77, Florida Statutes, is amended to read:

93 320.77 License required of mobile home dealers.-

94 (3) APPLICATION.-The application for such license shall be
95 in the form prescribed by the department and subject to such
96 rules as may be prescribed by it. The application shall be
97 verified by oath or affirmation and shall contain:

98 (h) Certification by the applicant:

99 1. That the location is a permanent one, not a tent or a
100 temporary stand or other temporary quarters.~~;~~ ~~and,~~

101 2. Except in the case of a mobile home broker, that the
102 location affords sufficient ~~unoccupied~~ space to display ~~store~~
103 ~~all mobile homes offered and displayed~~ for sale. A space to
104 display a manufactured home as a model home satisfies this
105 requirement. ~~;~~ ~~and that~~ The location must be ~~is~~ a suitable place
106 in which the applicant can in good faith carry on business and
107 keep and maintain books, records, and files necessary to conduct
108 such business, which must ~~will~~ be available at all reasonable
109 hours to inspection by the department or any of its inspectors
110 or other employees.

111
112 This paragraph does ~~subsection shall~~ not preclude a licensed
113 mobile home dealer from displaying and offering for sale mobile
114 homes in a mobile home park.

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116 The department shall, if it deems necessary, cause an
117 investigation to be made to ascertain if the facts set forth in
118 the application are true and shall not issue a license to the
119 applicant until it is satisfied that the facts set forth in the
120 application are true.

121 Section 7. Paragraph (j) of subsection (3) of section
122 320.771, Florida Statutes, is amended to read:

123 320.771 License required of recreational vehicle dealers.-

124 (3) APPLICATION.-The application for such license shall be
125 in the form prescribed by the department and subject to such
126 rules as may be prescribed by it. The application shall be
127 verified by oath or affirmation and shall contain:

128 (j) A statement that the applicant is insured under a
129 garage liability insurance policy, which shall include, at a
130 minimum, \$25,000 combined single-limit liability coverage,
131 including bodily injury and property damage protection, and
132 \$10,000 personal injury protection, if the applicant is to be
133 licensed as a dealer in, or intends to sell, recreational
134 vehicles. However, a garage liability policy is not required for
135 the licensure of a mobile home dealer who sells only park
136 trailers.

137

138 The department shall, if it deems necessary, cause an
139 investigation to be made to ascertain if the facts set forth in
140 the application are true and shall not issue a license to the

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141 applicant until it is satisfied that the facts set forth in the
142 application are true.

143 Section 8. Paragraph (c) of subsection (2) of section
144 320.822, Florida Statutes, is amended to read:

145 320.822 Definitions; ss. 320.822-320.862.—In construing
146 ss. 320.822-320.862, unless the context otherwise requires, the
147 following words or phrases have the following meanings:

148 (2) "Code" means the appropriate standards found in:

149 (c) The Mobile and Manufactured Home Repair and Remodeling
150 Code and the Used Recreational Vehicle Code.

151 Section 9. Subsection (2) of section 320.8232, Florida
152 Statutes, is amended to read:

153 320.8232 Establishment of uniform standards for used
154 recreational vehicles and repair and remodeling code for mobile
155 homes.—

156 (2) The Mobile and Manufactured Home ~~provisions of the~~
157 Repair and Remodeling Code must be a uniform code, must ~~shall~~
158 ensure safe and livable housing, and may ~~shall~~ not be more
159 stringent than those standards required to be met in the
160 manufacture of mobile homes. Such code must ~~provisions shall~~
161 include, but not be limited to, standards for structural
162 adequacy, plumbing, heating, electrical systems, and fire and
163 life safety. All repairs and remodeling of mobile and
164 manufactured homes must be performed in accordance with
165 department rules.

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166 Section 10. Subsection (9) of section 367.022, Florida
167 Statutes, is amended and subsection (14) is added to read:

168 367.022 Exemptions.—The following are not subject to
169 regulation by the commission as a utility nor are they subject
170 to the provisions of this chapter, except as expressly provided:

171 (9) Any person who resells water service to his or her
172 tenants or to individually metered residents for a fee that does
173 not exceed the actual purchase price of the water and wastewater
174 service plus the actual cost of meter reading and billing, not
175 to exceed 9 percent of the actual cost of service.

176 (14) The owner of a mobile home park operating both as a
177 mobile home park and a mobile home subdivision, as those terms
178 are defined in section 723.003, who provides service within the
179 park and subdivision to a combination of both tenants and lot
180 owners, provided that the service to tenants is without specific
181 compensation.

182 Section 11. Paragraph (c) of subsection (6) of section
183 420.5087, Florida Statutes, is amended to read:

184 420.5087 State Apartment Incentive Loan Program.—There is
185 hereby created the State Apartment Incentive Loan Program for
186 the purpose of providing first, second, or other subordinated
187 mortgage loans or loan guarantees to sponsors, including for-
188 profit, nonprofit, and public entities, to provide housing
189 affordable to very-low-income persons.

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190 (6) On all state apartment incentive loans, except loans
191 made to housing communities for the elderly to provide for
192 lifesafety, building preservation, health, sanitation, or
193 security-related repairs or improvements, the following
194 provisions shall apply:

195 (c) The corporation shall provide by rule for the
196 establishment of a review committee for the competitive
197 evaluation and selection of applications submitted in this
198 program, including, but not limited to, the following criteria:

199 1. Tenant income and demographic targeting objectives of
200 the corporation.

201 2. Targeting objectives of the corporation which will
202 ensure an equitable distribution of loans between rural and
203 urban areas.

204 3. Sponsor's agreement to reserve the units for persons or
205 families who have incomes below 50 percent of the state or local
206 median income, whichever is higher, for a time period that
207 exceeds the minimum required by federal law or this part.

208 4. Sponsor's agreement to reserve more than:

209 a. Twenty percent of the units in the project for persons
210 or families who have incomes that do not exceed 50 percent of
211 the state or local median income, whichever is higher; or

212 b. Forty percent of the units in the project for persons
213 or families who have incomes that do not exceed 60 percent of
214 the state or local median income, whichever is higher, without

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215 requiring a greater amount of the loans as provided in this
216 section.

217 5. Provision for tenant counseling.

218 6. Sponsor's agreement to accept rental assistance
219 certificates or vouchers as payment for rent.

220 7. Projects requiring the least amount of a state
221 apartment incentive loan compared to overall project cost,
222 except that the share of the loan attributable to units serving
223 extremely-low-income persons must be excluded from this
224 requirement.

225 8. Local government contributions and local government
226 comprehensive planning and activities that promote affordable
227 housing and policies that promote access to public
228 transportation, reduce the need for onsite parking, and expedite
229 permits for affordable housing projects.

230 9. Project feasibility.

231 10. Economic viability of the project.

232 11. Commitment of first mortgage financing.

233 12. Sponsor's prior experience.

234 13. Sponsor's ability to proceed with construction.

235 14. Projects that directly implement or assist welfare-to-
236 work transitioning.

237 15. Projects that reserve units for extremely-low-income
238 persons.

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239 16. Projects that include green building principles,
240 storm-resistant construction, or other elements that reduce
241 long-term costs relating to maintenance, utilities, or
242 insurance.

243 17. Job-creation rate of the developer and general
244 contractor, as provided in s. 420.507(47).

245 Section 12. Section 420.5095, Florida Statutes, is amended
246 to read:

247 420.5095 Community Workforce Housing Loan Innovation Pilot
248 Program.—

249 (1) The Legislature finds and declares that recent rapid
250 increases in the median purchase price of a home and the cost of
251 rental housing have far outstripped the increases in median
252 income in the state, ~~preventing essential services personnel~~
253 ~~from living in the communities where they serve and thereby~~
254 creating the need for innovative solutions for the provision of
255 housing opportunities ~~for essential services personnel.~~

256 (2) The Community Workforce Housing Loan Innovation Pilot
257 Program is created to provide ~~affordable rental and home~~
258 ~~ownership community~~ workforce housing for persons ~~essential~~
259 ~~services personnel~~ affected by the high cost of housing, ~~using~~
260 ~~regulatory incentives and state and local funds to promote local~~
261 ~~public-private partnerships and leverage government and private~~
262 ~~resources.~~

263 (3) For purposes of this section, the term~~+~~

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264 ~~(a)~~ "workforce housing" means housing affordable to
265 natural persons or families whose total annual household income
266 does not exceed 80 ~~140~~ percent of the area median income,
267 adjusted for household size, or 120 ~~150~~ percent of area median
268 income, adjusted for household size, in areas of critical state
269 concern designated under s. 380.05, for which the Legislature
270 has declared its intent to provide affordable housing, and areas
271 that were designated as areas of critical state concern for at
272 least 20 consecutive years before ~~prior to~~ removal of the
273 designation.

274 ~~(b)~~ ~~"Public-private partnership" means any form of~~
275 ~~business entity that includes substantial involvement of at~~
276 ~~least one county, one municipality, or one public sector entity,~~
277 ~~such as a school district or other unit of local government in~~
278 ~~which the project is to be located, and at least one private~~
279 ~~sector for-profit or not-for-profit business or charitable~~
280 ~~entity, and may be any form of business entity, including a~~
281 ~~joint venture or contractual agreement.~~

282 (4) The Florida Housing Finance Corporation may ~~is~~
283 ~~authorized to provide~~ loans under the Community Workforce
284 ~~Housing Innovation Pilot~~ program loans to applicants an
285 ~~applicant~~ for construction ~~or rehabilitation~~ of workforce
286 housing ~~in eligible areas. This funding is intended to be used~~
287 ~~with other public and private sector resources.~~

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288 (5) The corporation shall establish a loan application
289 process under s. 420.5087 ~~by rule which includes selection~~
290 ~~criteria, an application review process, and a funding process.~~
291 ~~The corporation shall also establish an application review~~
292 ~~committee that may include up to three private citizens~~
293 ~~representing the areas of housing or real estate development,~~
294 ~~banking, community planning, or other areas related to the~~
295 ~~development or financing of workforce and affordable housing.~~

296 ~~(a) The selection criteria and application review process~~
297 ~~must include a procedure for curing errors in the loan~~
298 ~~applications which do not make a substantial change to the~~
299 ~~proposed project.~~

300 ~~(b) To achieve the goals of the pilot program, the~~
301 ~~application review committee may approve or reject loan~~
302 ~~applications or responses to questions raised during the review~~
303 ~~of an application due to the insufficiency of information~~
304 ~~provided.~~

305 ~~(c) The application review committee shall make~~
306 ~~recommendations concerning program participation and funding to~~
307 ~~the corporation's board of directors.~~

308 ~~(d) The board of directors shall approve or reject loan~~
309 ~~applications, determine the tentative loan amount available to~~
310 ~~each applicant, and rank all approved applications.~~

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311 ~~(c) The board of directors shall decide which approved~~
312 ~~applicants will become program participants and determine the~~
313 ~~maximum loan amount for each program participant.~~

314 ~~(6) The corporation shall provide incentives for local~~
315 ~~governments in eligible areas to use local affordable housing~~
316 ~~funds, such as those from the State Housing Initiatives~~
317 ~~Partnership Program, to assist in meeting the affordable housing~~
318 ~~needs of persons eligible under this program. Local governments~~
319 ~~are authorized to use State Housing Initiative Partnership~~
320 ~~Program funds for persons or families whose total annual~~
321 ~~household income does not exceed:~~

322 ~~(a) One hundred and forty percent of the area median~~
323 ~~income, adjusted for household size; or~~

324 ~~(b) One hundred and fifty percent of the area median~~
325 ~~income, adjusted for household size, in areas that were~~
326 ~~designated as areas of critical state concern for at least 20~~
327 ~~consecutive years prior to the removal of the designation and in~~
328 ~~areas of critical state concern, designated under s. 380.05, for~~
329 ~~which the Legislature has declared its intent to provide~~
330 ~~affordable housing.~~

331 ~~(7) Funding shall be targeted to innovative projects in~~
332 ~~areas where the disparity between the area median income and the~~
333 ~~median sales price for a single-family home is greatest, and~~
334 ~~where population growth as a percentage rate of increase is~~
335 ~~greatest. The corporation may also fund projects in areas where~~

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336 ~~innovative regulatory and financial incentives are made~~
337 ~~available. The corporation shall fund at least one eligible~~
338 ~~project in as many counties and regions of the state as is~~
339 ~~practicable, consistent with program goals.~~

340 ~~(6)(8)~~ Projects must be given ~~shall receive~~ priority
341 consideration for funding if ~~where~~:

342 (a) The local jurisdiction has adopted, or is committed to
343 adopting, appropriate regulatory incentives, ~~or the local~~
344 ~~jurisdiction or public-private partnership has adopted or is~~
345 ~~committed to adopting~~ local contributions or financial
346 strategies, or other funding sources to promote the development
347 and ongoing financial viability of such projects. Local
348 incentives include such actions as expediting review of
349 development orders and permits, supporting development near
350 transportation hubs and major employment centers, and adopting
351 land development regulations designed to allow flexibility in
352 densities, use of accessory units, mixed-use developments, and
353 flexible lot configurations. Financial strategies include such
354 actions as promoting employer-assisted housing programs,
355 providing tax increment financing, and providing land.

356 ~~(b) Projects are innovative and include new construction~~
357 ~~or rehabilitation; mixed-income housing; commercial and housing~~
358 ~~mixed-use elements; innovative design; green building~~
359 ~~principles; storm-resistant construction; or other elements that~~
360 ~~reduce long-term costs relating to maintenance, utilities, or~~

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361 ~~insurance and promote homeownership. The program funding may not~~
362 ~~exceed the costs attributable to the portion of the project that~~
363 ~~is set aside to provide housing for the targeted population.~~

364 ~~(b)(e) The projects that set aside at least 50 at least 80~~
365 ~~percent of the units for workforce housing and at least 50~~
366 ~~percent for essential services personnel and for projects that~~
367 ~~require the least amount of program funding compared to the~~
368 ~~overall housing costs for the project.~~

369 ~~(9) Notwithstanding s. 163.3184(4)(b)-(d), any local~~
370 ~~government comprehensive plan amendment to implement a Community~~
371 ~~Workforce Housing Innovation Pilot Program project found~~
372 ~~consistent with this section shall be expedited as provided in~~
373 ~~this subsection. At least 30 days prior to adopting a plan~~
374 ~~amendment under this subsection, the local government shall~~
375 ~~notify the state land planning agency of its intent to adopt~~
376 ~~such an amendment, and the notice shall include its evaluation~~
377 ~~related to site suitability and availability of facilities and~~
378 ~~services. The public notice of the hearing required by s.~~
379 ~~163.3184(11)(b)2. shall include a statement that the local~~
380 ~~government intends to use the expedited adoption process~~
381 ~~authorized by this subsection. Such amendments shall require~~
382 ~~only a single public hearing before the governing board, which~~
383 ~~shall be an adoption hearing as described in s. 163.3184(4)(e).~~
384 ~~Any further proceedings shall be governed by s. 163.3184(5)-~~
385 ~~(13).~~

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386 ~~(10) The processing of approvals of development orders or~~
387 ~~development permits, as defined in s. 163.3164, for innovative~~
388 ~~community workforce housing projects shall be expedited.~~

389 ~~(7)(11) The corporation shall award loans with a 1~~
390 ~~interest rates set at 1 to 3 percent interest rate for a term~~
391 ~~that does not exceed 15 years, which may be made forgivable when~~
392 ~~long term affordability is provided and when at least 80 percent~~
393 ~~of the units are set aside for workforce housing and at least 50~~
394 ~~percent of the units are set aside for essential services~~
395 ~~personnel.~~

396 ~~(12) All eligible applications shall:~~

397 ~~(a) For home ownership, limit the sales price of a~~
398 ~~detached unit, townhome, or condominium unit to not more than 90~~
399 ~~percent of the median sales price for that type of unit in that~~
400 ~~county, or the statewide median sales price for that type of~~
401 ~~unit, whichever is higher, and require that all eligible~~
402 ~~purchasers of home ownership units occupy the homes as their~~
403 ~~primary residence.~~

404 ~~(b) For rental units, restrict rents for all workforce~~
405 ~~housing serving those with incomes at or below 120 percent of~~
406 ~~area median income at the appropriate income level using the~~
407 ~~restricted rents for the federal low-income housing tax credit~~
408 ~~program and, for workforce housing units serving those with~~
409 ~~incomes above 120 percent of area median income, restrict rents~~

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410 ~~to those established by the corporation, not to exceed 30~~
411 ~~percent of the maximum household income adjusted to unit size.~~

412 ~~(c) Demonstrate that the applicant is a public-private~~
413 ~~partnership in an agreement, contract, partnership agreement,~~
414 ~~memorandum of understanding, or other written instrument signed~~
415 ~~by all the project partners.~~

416 ~~(d) Have grants, donations of land, or contributions from~~
417 ~~the public-private partnership or other sources collectively~~
418 ~~totaling at least 10 percent of the total development cost or \$2~~
419 ~~million, whichever is less. Such grants, donations of land, or~~
420 ~~contributions must be evidenced by a letter of commitment,~~
421 ~~agreement, contract, deed, memorandum of understanding, or other~~
422 ~~written instrument at the time of application. Grants, donations~~
423 ~~of land, or contributions in excess of 10 percent of the~~
424 ~~development cost shall increase the application score.~~

425 ~~(e) Demonstrate how the applicant will use the regulatory~~
426 ~~incentives and financial strategies outlined in subsection (8)~~
427 ~~from the local jurisdiction in which the proposed project is to~~
428 ~~be located. The corporation may consult with the Department of~~
429 ~~Economic Opportunity in evaluating the use of regulatory~~
430 ~~incentives by applicants.~~

431 ~~(f) Demonstrate that the applicant possesses title to or~~
432 ~~site control of land and evidences availability of required~~
433 ~~infrastructure.~~

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434 ~~(g) Demonstrate the applicant's affordable housing~~
435 ~~development and management experience.~~

436 ~~(h) Provide any research or facts available supporting the~~
437 ~~demand and need for rental or home ownership workforce housing~~
438 ~~for eligible persons in the market in which the project is~~
439 ~~proposed.~~

440 ~~(13) Projects may include manufactured housing constructed~~
441 ~~after June 1994 and installed in accordance with mobile home~~
442 ~~installation standards of the Department of Highway Safety and~~
443 ~~Motor Vehicles.~~

444 ~~(8)~~ (14) The corporation may adopt rules pursuant to ss.
445 120.536(1) and 120.54 to implement this section.

446 ~~(15) The corporation may use a maximum of 2 percent of the~~
447 ~~annual program appropriation for administration and compliance~~
448 ~~monitoring.~~

449 ~~(16) The corporation shall review the success of the Community~~
450 ~~Workforce Housing Innovation Pilot Program to ascertain whether~~
451 ~~the projects financed by the program are useful in meeting the~~
452 ~~housing needs of eligible areas and shall include its findings~~
453 ~~in the annual report required under s. 420.511(3).~~

454 Section 13. Section 420.531, Florida Statutes, is amended
455 to read:

456 420.531 Affordable Housing Catalyst Program.—

457 (1) The corporation shall operate the Affordable Housing
458 Catalyst Program for the purpose of securing the expertise

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459 necessary to provide specialized technical support to local
460 governments and community-based organizations to implement the
461 HOME Investment Partnership Program, State Apartment Incentive
462 Loan Program, State Housing Initiatives Partnership Program, and
463 other affordable housing programs. To the maximum extent
464 feasible, the entity to provide the necessary expertise must be
465 recognized by the Internal Revenue Service as a nonprofit tax-
466 exempt organization. It must have as its primary mission the
467 provision of affordable housing training and technical
468 assistance, an ability to provide training and technical
469 assistance statewide, and a proven track record of successfully
470 providing training and technical assistance under the Affordable
471 Housing Catalyst Program. The technical support shall, at a
472 minimum, include training relating to the following key elements
473 of the partnership programs:

474 (a)~~(1)~~ Formation of local and regional housing
475 partnerships as a means of bringing together resources to
476 provide affordable housing.

477 (b)~~(2)~~ Implementation of regulatory reforms to reduce the
478 risk and cost of developing affordable housing.

479 (c)~~(3)~~ Implementation of affordable housing programs
480 included in local government comprehensive plans.

481 (d)~~(4)~~ Compliance with requirements of federally funded
482 housing programs.

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483 (2) In consultation with the corporation, the entity
484 providing statewide training and technical assistance shall
485 convene and administer biannual regional workshops for the
486 locally elected officials serving on affordable housing advisory
487 committees as provided in s. 420.9076. The regional workshops
488 may be conducted through teleconferencing or other technological
489 means and must include processes and programming that facilitate
490 peer-to-peer identification and sharing of best affordable
491 housing practices among the locally elected officials. Annually,
492 the entity providing statewide training and technical assistance
493 must compile calendar year reports summarizing the
494 deliberations, actions, and recommendations of each region, as
495 well as the attendance records of locally elected officials, and
496 must submit such reports to the President of the Senate, the
497 Speaker of the House of Representatives, and the corporation by
498 March 31 of the following year.

499 Section 14. Subsection (7) of section 420.9073, Florida
500 Statutes, is renumbered as subsection (8), and a new subsection
501 (7) is added to that section to read:

502 420.9073 Local housing distributions.-

503 (7) Notwithstanding subsections (1)-(4), the corporation
504 may withhold up to 5 percent of the total amount distributed
505 each fiscal year from the Local Government Housing Trust Fund to
506 provide additional funding to counties and eligible
507 municipalities for the construction of transitional housing for

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508 persons aging out of foster care. Funds may not be used for the
509 design or planning of transitional housing and the housing must
510 be constructed on campus. The corporation must consult with the
511 Department of Children and Families to create minimum criteria
512 for such housing. Any portion of the withheld funds not
513 distributed or committed by the end of the fiscal year shall be
514 distributed as provided in subsections (1) and (2).

515 Section 15. Paragraph (j) is added to subsection (10) of
516 section 420.9075, Florida Statutes, to read:

517 420.9075 Local housing assistance plans; partnerships.—

518 (10) Each county or eligible municipality shall submit to
519 the corporation by September 15 of each year a report of its
520 affordable housing programs and accomplishments through June 30
521 immediately preceding submittal of the report. The report shall
522 be certified as accurate and complete by the local government's
523 chief elected official or his or her designee. Transmittal of
524 the annual report by a county's or eligible municipality's chief
525 elected official, or his or her designee, certifies that the
526 local housing incentive strategies, or, if applicable, the local
527 housing incentive plan, have been implemented or are in the
528 process of being implemented pursuant to the adopted schedule
529 for implementation. The report must include, but is not limited
530 to:

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531 (j) The number of affordable housing applications that
532 were submitted, the number of such applications that were
533 approved, and the number of such applications that were denied.

534 Section 16. Subsections (2) and (4) of section 420.9076,
535 Florida Statutes, are amended, and subsection (10) is added to
536 that section, to read:

537 420.9076 Adoption of affordable housing incentive
538 strategies; committees.—

539 (2) The governing board of a county or municipality shall
540 appoint the members of the affordable housing advisory
541 committee. Pursuant to the terms of any interlocal agreement, a
542 county and municipality may create and jointly appoint an
543 advisory committee. The local action adopted pursuant to s.
544 420.9072 which creates the advisory committee and appoints the
545 advisory committee members must name at least 8 but not more
546 than 11 committee members and specify their terms. Effective
547 October 1, 2020, the committee must consist of one locally
548 elected official from each county or municipality participating
549 in the State Housing Initiatives Partnership Program and one
550 representative from at least six of the categories below:

551 (a) A citizen who is actively engaged in the residential
552 home building industry in connection with affordable housing.

553 (b) A citizen who is actively engaged in the banking or
554 mortgage banking industry in connection with affordable housing.

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555 (c) A citizen who is a representative of those areas of
556 labor actively engaged in home building in connection with
557 affordable housing.

558 (d) A citizen who is actively engaged as an advocate for
559 low-income persons in connection with affordable housing.

560 (e) A citizen who is actively engaged as a for-profit
561 provider of affordable housing.

562 (f) A citizen who is actively engaged as a not-for-profit
563 provider of affordable housing.

564 (g) A citizen who is actively engaged as a real estate
565 professional in connection with affordable housing.

566 (h) A citizen who actively serves on the local planning
567 agency pursuant to s. 163.3174. If the local planning agency is
568 comprised of the governing board of the county or municipality,
569 the governing board may appoint a designee who is knowledgeable
570 in the local planning process.

571 (i) A citizen who resides within the jurisdiction of the
572 local governing body making the appointments.

573 (j) A citizen who represents employers within the
574 jurisdiction.

575 (k) A citizen who represents essential services personnel,
576 as defined in the local housing assistance plan.

577 (4) Annually ~~Triennially~~, the advisory committee shall
578 review the established policies and procedures, ordinances, land
579 development regulations, and adopted local government

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580 comprehensive plan of the appointing local government and shall
581 recommend specific actions or initiatives to encourage or
582 facilitate affordable housing while protecting the ability of
583 the property to appreciate in value. The recommendations may
584 include the modification or repeal of existing policies,
585 procedures, ordinances, regulations, or plan provisions; the
586 creation of exceptions applicable to affordable housing; or the
587 adoption of new policies, procedures, regulations, ordinances,
588 or plan provisions, including recommendations to amend the local
589 government comprehensive plan and corresponding regulations,
590 ordinances, and other policies. At a minimum, each advisory
591 committee shall submit an annual a report to the local governing
592 body and to the entity providing statewide training and
593 technical assistance for the Affordable Housing Catalyst Program
594 which ~~that~~ includes recommendations on, ~~and triennially~~
595 ~~thereafter evaluates~~ the implementation of, affordable housing
596 incentives in the following areas:

597 (a) The processing of approvals of development orders or
598 permits for affordable housing projects is expedited to a
599 greater degree than other projects, as provided in s.
600 163.3177(6)(f)3.

601 (b) All allowable fee waivers provided ~~The modification of~~
602 ~~impact fee requirements, including reduction or waiver of fees~~
603 ~~and alternative methods of fee payment for~~ the development or
604 construction of affordable housing.

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605 (c) The allowance of flexibility in densities for
606 affordable housing.

607 (d) The reservation of infrastructure capacity for housing
608 for very-low-income persons, low-income persons, and moderate-
609 income persons.

610 (e) ~~The allowance of Affordable accessory residential~~
611 ~~units in residential zoning districts.~~

612 (f) The reduction of parking and setback requirements for
613 affordable housing.

614 (g) The allowance of flexible lot configurations,
615 including zero-lot-line configurations for affordable housing.

616 (h) The modification of street requirements for affordable
617 housing.

618 (i) The establishment of a process by which a local
619 government considers, before adoption, policies, procedures,
620 ordinances, regulations, or plan provisions that increase the
621 cost of housing.

622 (j) The preparation of a printed inventory of locally
623 owned public lands suitable for affordable housing.

624 (k) The support of development near transportation hubs
625 and major employment centers and mixed-use developments.

626

627 The advisory committee recommendations may also include other
628 affordable housing incentives identified by the advisory
629 committee. Local governments that receive the minimum allocation

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630 under the State Housing Initiatives Partnership Program shall
631 perform an ~~the~~ initial review but may elect to not perform the
632 annual ~~triennial~~ review.

633 (10) The locally elected official serving on an advisory
634 committee, or a locally elected designee, must attend biannual
635 regional workshops convened and administered under the
636 Affordable Housing Catalyst Program as provided in s.
637 420.531(2). If the locally elected official or locally elected
638 designee fails to attend three consecutive regional workshops,
639 the corporation may withhold funds pending the person's
640 attendance at the next regularly scheduled biannual meeting.

641 Section 17. Subsection (4) of section 723.011, Florida
642 Statutes, are amended to read:

643 723.011 Disclosure prior to rental of a mobile home lot;
644 prospectus, filing, approval.—

645 (4) With regard to a tenancy in existence on the effective
646 date of this chapter, the prospectus or offering circular
647 offered by the mobile home park owner must ~~shall~~ contain the
648 same terms and conditions as rental agreements offered to all
649 other mobile home owners residing in the park on the effective
650 date of this act, excepting only rent variations based upon lot
651 location and size, and may ~~shall~~ not require any mobile home
652 owner to install any permanent improvements, except that the
653 mobile home owner may be required to install permanent
654 improvements to the mobile home as disclosed in the prospectus.

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655 Section 18. Subparagraph 3 of paragraph (c) of subsection
656 (4) is created, and subsection (5) of section 723.012, Florida
657 Statutes, are amended to read:

658 723.012 Prospectus or offering circular.—The prospectus or
659 offering circular, which is required to be provided by s.
660 723.011, must contain the following information:

661 (4) Beginning on the first page of the text, the following
662 information:

663 (c) A description of the mobile home park property,
664 including, but not limited to:

665 1. The number of lots in each section, the approximate
666 size of each lot, the setback requirements, and the minimum
667 separation distance between mobile homes as required by law.

668 2. The maximum number of lots that will use shared
669 facilities of the park; and, if the maximum number of lots will
670 vary, a description of the basis for variation.

671 (5) A description of the recreational and other common
672 facilities, if any, that will be used by the mobile home owners,
673 including, but not limited to:

674 (a) The number of buildings and each room thereof and its
675 intended purposes, location, approximate floor area, and
676 capacity in numbers of people.

677 (b) Each swimming pool, as to its general location,
678 approximate size and depths, and approximate deck size and
679 capacity and whether heated.

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680 (c) All other facilities and permanent improvements that
681 ~~which~~ will serve the mobile home owners.

682 (d) A general description of the items of personal
683 property available for use by the mobile home owners.

684 (e) A general description of the days and hours that
685 facilities will be available for use.

686 (f) A statement as to whether all improvements are
687 complete and, if not, their estimated completion dates.

688

689 If a mobile home park owner intends to include additional
690 property and mobile home lots and to increase the number of lots
691 that will use the shared facilities of the park, the mobile home
692 park owner must amend the prospectus to disclose such additions.

693 If the number of mobile home lots in the park increase by more
694 than 15 percent of the total number of lots in the original
695 prospectus, the mobile home park owner will reasonably offset
696 the impact of the additional lots by increasing the shared
697 facilities. The amendment to the prospectus must include a
698 reasonable timeframe for providing the required additional
699 shared facilities. The costs and expenses necessary to increase
700 the shared facilities will not be passed on or pass through to
701 the existing mobile home owners.

702 Section 19. Section 723.023, Florida Statutes, is amended
703 to read:

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704 723.023 Mobile home owner's general obligations.—A mobile
705 home owner shall ~~at all times~~:

706 (1) At all times comply with all obligations imposed on
707 mobile home owners by applicable provisions of building,
708 housing, and health codes, including compliance with all
709 building permits and construction requirements for construction
710 on the mobile home and lot. The home owner is responsible for
711 all fines imposed by the local government for noncompliance with
712 any local codes.

713 (2) At all times keep the mobile home lot that ~~which~~ he or
714 she occupies clean, neat, and sanitary, and maintained in
715 compliance with all local codes.

716 (3) At all times comply with properly promulgated park
717 rules and regulations and require other persons on the premises
718 with his or her consent to comply with such rules and to conduct
719 themselves, and other persons on the premises with his or her
720 consent, in a manner that does not unreasonably disturb other
721 residents of the park or constitute a breach of the peace.

722 (4) Receive written approval from the mobile home park
723 owner before making any exterior modification or addition to the
724 home.

725 (5) When vacating the premises, remove any debris and
726 other property of any kind which is left on the mobile home lot.

727 Section 20. Subsection (5) of section 723.031, Florida
728 Statutes, is amended to read:

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729 723.031 Mobile home lot rental agreements.—

730 (5) The rental agreement must ~~shall~~ contain the lot rental
731 amount and services included. An increase in lot rental amount
732 upon expiration of the term of the lot rental agreement must
733 ~~shall~~ be in accordance with ss. 723.033 and 723.037 or s.
734 723.059(4), whichever is applicable; ~~it~~ provided that, pursuant to
735 s. 723.059(4), the amount of the lot rental increase is
736 disclosed and agreed to by the purchaser, in writing. An
737 increase in lot rental amount shall not be arbitrary or
738 discriminatory between similarly situated tenants in the park. A
739 lot rental amount may not be increased during the term of the
740 lot rental agreement, except:

741 (a) When the manner of the increase is disclosed in a lot
742 rental agreement with a term exceeding 12 months and which
743 provides for such increases not more frequently than annually.

744 (b) For pass-through charges as defined in s. 723.003.

745 (c) That a charge may not be collected which results in
746 payment of money for sums previously collected as part of the
747 lot rental amount. The provisions hereof notwithstanding, the
748 mobile home park owner may pass on, at any time during the term
749 of the lot rental agreement, ad valorem property taxes, non-ad
750 valorem assessments, and utility charges, or increases of
751 either, provided that the ad valorem property taxes, non-ad
752 valorem assessments, and utility charges are not otherwise being
753 collected in the remainder of the lot rental amount and provided

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754 further that the passing on of such ad valorem taxes, non-ad
755 valorem assessments, or utility charges, or increases of either,
756 was disclosed prior to tenancy, was being passed on as a matter
757 of custom between the mobile home park owner and the mobile home
758 owner, or such passing on was authorized by law. A park owner is
759 deemed to have disclosed the passing on of ad valorem property
760 taxes and non-ad valorem assessments if ad valorem property
761 taxes or non-ad valorem assessments were disclosed as a separate
762 charge or a factor for increasing the lot rental amount in the
763 prospectus or rental agreement. Such ad valorem taxes, non-ad
764 valorem assessments, and utility charges shall be a part of the
765 lot rental amount as defined by this chapter. The term "non-ad
766 valorem assessments" has the same meaning as provided in s.
767 197.3632(1)(d). Other provisions of this chapter
768 notwithstanding, pass-on charges may be passed on only within 1
769 year of the date a mobile home park owner remits payment of the
770 charge. A mobile home park owner is prohibited from passing on
771 any fine, interest, fee, or increase in a charge resulting from
772 a park owner's payment of the charge after the date such charges
773 become delinquent. A mobile home park owner is prohibited from
774 charging or collecting from the mobile home owners any sum of ad
775 valorem taxes or non ad valorem taxes charges in an amount in
776 excess of the sums remitted by the park owner to the tax
777 collector. Nothing herein shall prohibit a park owner and a

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778 homeowner from mutually agreeing to an alternative manner of
779 payment to the park owner of the charges.

780 (d) If a notice of increase in lot rental amount is not
781 given 90 days before the renewal date of the rental agreement,
782 the rental agreement must remain under the same terms until a
783 90-day notice of increase in lot rental amount is given. The
784 notice may provide for a rental term shorter than 1 year in
785 order to maintain the same renewal date.

786 Section 21. Subsection (1) and paragraph (a) of subsection
787 (4) of section 723.037, Florida Statutes, are amended to read:

788 723.037 Lot rental increases; reduction in services or
789 utilities; change in rules and regulations; mediation.—

790 (1) A park owner shall give written notice to each
791 affected mobile home owner and the board of directors of the
792 homeowners' association, if one has been formed, at least 90
793 days before any increase in lot rental amount or reduction in
794 services or utilities provided by the park owner or change in
795 rules and regulations. The park owner may give notice of all
796 increases in lot rental amount for multiple anniversary dates in
797 the same 90-day notice. The notice must ~~shall~~ identify all other
798 affected homeowners, which may be by lot number, name, group, or
799 phase. If the affected homeowners are not identified by name,
800 the park owner shall make the names and addresses available upon
801 request. However, this requirement does not authorize the
802 release of the names, addresses, or other private information

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803 about the homeowners to the association or any other person for
804 any other purpose. The home owner's right to the 90-day notice
805 may not be waived or precluded by a home owner, or the
806 homeowners' committee, in an agreement with the park owner.
807 Rules adopted as a result of restrictions imposed by
808 governmental entities and required to protect the public health,
809 safety, and welfare may be enforced prior to the expiration of
810 the 90-day period but are not otherwise exempt from the
811 requirements of this chapter. Pass-through charges must be
812 separately listed as to the amount of the charge, the name of
813 the governmental entity mandating the capital improvement, and
814 the nature or type of the pass-through charge being levied.
815 Notices of increase in the lot rental amount due to a pass-
816 through charge must ~~shall~~ state the additional payment and
817 starting and ending dates of each pass-through charge. The
818 homeowners' association shall have no standing to challenge the
819 increase in lot rental amount, reduction in services or
820 utilities, or change of rules and regulations unless a majority
821 of the affected homeowners agree, in writing, to such
822 representation.

823 (4) (a) A committee, not to exceed five in number,
824 designated by a majority of the affected mobile home owners or
825 by the board of directors of the homeowners' association, if
826 applicable, and the park owner shall meet, at a mutually
827 convenient time and place no later than 60 days before the

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828 effective date of the change to discuss the reasons for the
829 increase in lot rental amount, reduction in services or
830 utilities, or change in rules and regulations. The negotiating
831 committee shall make a written request for a meeting with the
832 park owner or subdivision developer to discuss those matters
833 addressed in the 90-day notice, and may include in the request a
834 listing of any other issue, with supporting documentation, that
835 the committee intends to raise and discuss at the meeting. The
836 committee shall address all lot rental amount increases that are
837 specified in the notice of lot rental amount increase,
838 regardless of the effective date of the increase.

839

840 This subsection is not intended to be enforced by civil or
841 administrative action. Rather, the meetings and discussions are
842 intended to be in the nature of settlement discussions prior to
843 the parties proceeding to mediation of any dispute.

844 Section 22. Subsections (5) and (6) are added to section
845 723.041, Florida Statutes, to read:

846 723.041 Entrance fees; refunds; exit fees prohibited;
847 replacement homes.—

848 (5) A mobile home park that is damaged or destroyed due to
849 wind, water, or other natural force may be rebuilt on the same
850 site with the same density as was approved, permitted, and built
851 before the park was damaged or destroyed.

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852 (6) This section does not limit the regulation of the
853 uniform firesafety standards established under s. 633.206, but
854 supersedes any other density, separation, setback, or lot size
855 regulation adopted after initial permitting and construction of
856 the mobile home park.

857 Section 23. Section 723.042, Florida Statutes, is amended
858 to read:

859 723.042 Provision of improvements.—A No person may not
860 ~~shall~~ be required by a mobile home park owner or developer, as a
861 condition of residence in the mobile home park, to provide any
862 improvement unless the requirement is disclosed pursuant to s.
863 723.012(7) ~~s. 723.011~~ prior to occupancy in the mobile home
864 park.

865 Section 24. Section 723.059, Florida Statutes, is amended
866 to read:

867 723.059 ~~Rights of Purchaser of a mobile home within a~~
868 mobile home park.—

869 (1) The purchaser of a mobile home within a mobile home
870 park may become a tenant of the park if such purchaser would
871 otherwise qualify with the requirements of entry into the park
872 under the park rules and regulations, subject to the approval of
873 the park owner, but such approval may not be unreasonably
874 withheld. The purchaser of the mobile home may cancel or rescind
875 the contract for purchase of the mobile home if the purchaser's

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876 tenancy has not been approved by the park owner 5 days before
877 the closing of the purchase.

878 (2) Properly promulgated rules may provide for the
879 screening of any prospective purchaser to determine whether or
880 not such purchaser is qualified to become a tenant of the park.

881 (3) The purchaser of a mobile home who intends to become
882 ~~becomes~~ a resident of the mobile home park in accordance with
883 this section has the right to assume the remainder of the term
884 of any rental agreement then in effect between the mobile home
885 park owner and the seller and may assume the seller's
886 prospectus. However, nothing herein shall prohibit a mobile home
887 park owner from offering the purchaser of a mobile home any
888 approved prospectus shall be entitled to rely on the terms and
889 conditions of the prospectus or offering circular as delivered
890 to the initial recipient.

891 (4) However, nothing herein shall be construed to prohibit
892 a mobile home park owner from increasing the rental amount to be
893 paid by the purchaser upon the expiration of the assumed rental
894 agreement in an amount deemed appropriate by the mobile home
895 park owner, so long as such increase is disclosed to the
896 purchaser prior to his or her occupancy and is imposed in a
897 manner consistent with the purchaser's initial offering circular
898 ~~or~~ prospectus and this act.

899 (5) Lifetime leases and the renewal provisions in
900 automatically renewable leases, both those existing and those

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901 entered into after July 1, 1986, are not assumable unless
902 otherwise provided in the mobile home lot rental agreement or
903 unless the transferee is the home owner's spouse. The right to
904 an assumption of the lease by a spouse may be exercised only one
905 time during the term of that lease.

906 Section 25. Paragraph (d) of subsection (1) of section
907 723.061, Florida Statutes, is amended, and subsection (5) is
908 added to that section, to read:

909 723.061 Eviction; grounds, proceedings.—

910 (1) A mobile home park owner may evict a mobile home
911 owner, a mobile home tenant, a mobile home occupant, or a mobile
912 home only on one or more of the following grounds:

913 (d) Change in use of the land comprising the mobile home
914 park, or the portion thereof from which mobile homes are to be
915 evicted, from mobile home lot rentals to some other use, if:

916 1. The park owner gives written notice to the homeowners'
917 association formed and operating under ss. 723.075-723.079 of
918 its right to purchase the mobile home park, if the land
919 comprising the mobile home park is changing use from mobile home
920 lot rentals to a different use, at the price and under the terms
921 and conditions set forth in the written notice.

922 a. The notice shall be delivered to the officers of the
923 homeowners' association by United States mail. Within 45 days
924 after the date of mailing of the notice, the homeowners'
925 association may execute and deliver a contract to the park owner

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926 to purchase the mobile home park at the price and under the
927 terms and conditions set forth in the notice. If the contract
928 between the park owner and the homeowners' association is not
929 executed and delivered to the park owner within the 45-day
930 period, the park owner is under no further obligation to the
931 homeowners' association except as provided in sub-subparagraph
932 b.

933 b. If the park owner elects to offer or sell the mobile
934 home park at a price lower than the price specified in her or
935 his initial notice to the officers of the homeowners'
936 association, the homeowners' association has an additional 10
937 days to meet the revised price, terms, and conditions of the
938 park owner by executing and delivering a revised contract to the
939 park owner.

940 c. The park owner is not obligated under this subparagraph
941 or s. 723.071 to give any other notice to, or to further
942 negotiate with, the homeowners' association for the sale of the
943 mobile home park to the homeowners' association after 6 months
944 after the date of the mailing of the initial notice under sub-
945 subparagraph a.

946 2. The park owner gives the affected mobile home owners
947 and tenants at least 6 months' notice of the eviction due to the
948 projected change in use and of their need to secure other
949 accommodations. Within 20 days after giving an eviction notice
950 to a mobile home owner, the park owner must provide the division

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951 with a copy of the notice and the division must provide the
952 executive director of the Florida Mobile Home Relocation
953 Corporation with a copy of each notice.

954 a. The notice of eviction due to a change in use of the
955 land must include in a font no smaller than the body of the
956 notice the following statement:

957
958 YOU MAY BE ENTITLED TO COMPENSATION FROM THE FLORIDA
959 MOBILE HOME RELOCATION TRUST FUND, ADMINISTERED BY THE
960 FLORIDA MOBILE HOME RELOCATION CORPORATION (FMHRC).
961 FMHRC CONTACT INFORMATION IS AVAILABLE FROM THE
962 FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL
963 REGULATION.

964
965 b. The park owner may not give a notice of increase in lot
966 rental amount within 90 days before giving notice of a change in
967 use.

968 (5) A park owner who accepts payment of any portion of the
969 lot rental amount with actual knowledge of noncompliance after
970 notice and termination of the rental agreement due to a
971 violating under paragraph (1)(b), paragraph (1)(c), or paragraph
972 (1)(e) does not waive the right to terminate the rental
973 agreement or the right to bring a civil action for the
974 noncompliance, but not for any subsequent or continuing

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975 noncompliance. Any rent so received must be accounted for at the
976 final hearing.

977 Section 26. Subsection (1) of section 723.076, Florida
978 Statutes, is amended to read:

979 723.076 Incorporation; notification of park owner.—

980 (1) Upon receipt of its certificate of incorporation, the
981 homeowners' association shall notify the park owner in writing
982 of such incorporation and shall advise the park owner of the
983 names and addresses of the officers of the homeowners'
984 association by personal delivery upon the park owner's
985 representative as designated in the prospectus or by certified
986 mail, return receipt requested. Thereafter, the homeowners'
987 association shall notify the park owner in writing by certified
988 mail, return receipt requested, of any change of names and
989 addresses of its president or registered agent. Upon election or
990 appointment of new officers or members, the homeowners'
991 association shall notify the park owner in writing by certified
992 mail, return receipt requested, of the names and addresses of
993 the new officers or members.

994 Section 27. Paragraphs (b) through (e) of subsection (2)
995 of section 723.078, Florida Statutes, are amended, and paragraph
996 (i) of that subsection is reenacted, to read:

997 723.078 Bylaws of homeowners' associations.—

998 (2) The bylaws shall provide and, if they do not, shall be
999 deemed to include, the following provisions:

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1000 (b) *Quorum; voting requirements; proxies.*—

1001 1. Unless otherwise provided in the bylaws, 30 percent of
1002 the total membership is required to constitute a quorum.

1003 Decisions shall be made by a majority of members represented at
1004 a meeting at which a quorum is present.

1005 2.a. A member may not vote by general proxy but may vote
1006 by limited proxies substantially conforming to a limited proxy
1007 form adopted by the division. Limited proxies and general
1008 proxies may be used to establish a quorum. Limited proxies may
1009 be used for votes taken to amend the articles of incorporation
1010 or bylaws pursuant to this section, and any other matters for
1011 which this chapter requires or permits a vote of members. A,
1012 ~~except that no~~ proxy, limited or general, may not be used in the
1013 election of board members in general elections or elections to
1014 fill vacancies caused by recall, resignation, or otherwise.

1015 Board members must be elected by written ballot or by voting in
1016 person. If a mobile home or subdivision lot is owned jointly,
1017 the owners of the mobile home or subdivision lot must be counted
1018 as one for the purpose of determining the number of votes
1019 required for a majority. Only one vote per mobile home or
1020 subdivision lot shall be counted. Any number greater than 50
1021 percent of the total number of votes constitutes a majority.
1022 Notwithstanding this section, members may vote in person at
1023 member meetings or by secret ballot, including absentee ballots,
1024 as defined by the division.

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1025 b. Elections shall be decided by a plurality of the
1026 ballots cast. There is no quorum requirement; however, at least
1027 20 percent of the eligible voters must cast a ballot in order to
1028 have a valid election. A member may not allow any other person
1029 to cast his or her ballot, and any ballots improperly cast are
1030 invalid. An election is not required unless there are more
1031 candidates nominated than vacancies that exist on the board.

1032 c. Each member or other eligible person who desires to be
1033 a candidate for the board of directors shall appear on the
1034 ballot in alphabetical order by surname. A ballot may not
1035 indicate if any of the candidates are incumbent on the board.
1036 All ballots must be uniform in appearance. Write-in candidates
1037 and more than one vote per candidate per ballot are not allowed.
1038 A ballot may not provide a space for the signature of, or any
1039 other means of identifying, a voter. If a ballot contains more
1040 votes than vacancies or fewer votes than vacancies, the ballot
1041 is invalid unless otherwise stated in the bylaws.

1042 d. An impartial committee shall be responsible for
1043 overseeing the election process and complying with all ballot
1044 requirements. For purposes of this section, the term "impartial
1045 committee" means a committee whose members do not include any of
1046 the following people or their spouses:

1047 (I) Current board members.

1048 (II) Current association officers.

1049 (III) Candidates for the association or board.

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1050 e. The association bylaws shall provide a method for
1051 determining the winner of an election in which two or more
1052 candidates for the same position receive the same number of
1053 votes.

1054 f. A person who has been convicted of a felony in this
1055 state or in a United States District or Territorial Court, or
1056 who has been convicted of any offense in another jurisdiction
1057 which would be considered a felony if committed in this state,
1058 may not seek election to the board and is not eligible for board
1059 membership unless the person's civil rights have been restored
1060 for at least 5 years before the date on which the person seeks
1061 election to the board. The validity of an action taken by the
1062 board is not affected if it is later determined that a member of
1063 the board is ineligible for board membership.

1064 g. The division shall adopt procedural rules to govern
1065 elections, including, but not limited to, rules for providing
1066 notice by electronic transmission and rules for maintaining the
1067 secrecy of ballots.

1068 3. A proxy is effective only for the specific meeting for
1069 which originally given and any lawfully adjourned meetings
1070 thereof. In no event shall any proxy be valid for a period
1071 longer than 90 days after the date of the first meeting for
1072 which it was given. Every proxy shall be revocable at any time
1073 at the pleasure of the member executing it.

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1074 4. A member of the board of directors or a committee may
1075 submit in writing his or her agreement or disagreement with any
1076 action taken at a meeting that the member did not attend. This
1077 agreement or disagreement may not be used as a vote for or
1078 against the action taken and may not be used for the purposes of
1079 creating a quorum.

1080 (c) *Board of directors' and committee meetings.*—

1081 1. Meetings of the board of directors and meetings of its
1082 committees at which a quorum is present shall be open to all
1083 members. Notwithstanding any other provision of law, the
1084 requirement that board meetings and committee meetings be open
1085 to the members does not apply to meetings between the park owner
1086 and the board of directors or any of the board's committees,
1087 board or committee meetings held for the purpose of discussing
1088 personnel matters or meetings between the board or a committee
1089 and the association's attorney, with respect to potential or
1090 pending litigation, when ~~where~~ the meeting is held for the
1091 purpose of seeking or rendering legal advice, and when ~~where~~ the
1092 contents of the discussion would otherwise be governed by the
1093 attorney-client privilege. Notice of all meetings open to
1094 members shall be posted in a conspicuous place upon the park
1095 property at least 48 hours in advance, except in an emergency.
1096 Notice of any meeting in which dues ~~assessments against members~~
1097 are to be considered for any reason shall specifically contain a

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1098 statement that dues ~~assessments~~ will be considered and the
1099 nature of such dues ~~assessments~~.

1100 2. A board or committee member's participation in a
1101 meeting via telephone, real-time videoconferencing, or similar
1102 real-time telephonic, electronic, or video communication counts
1103 toward a quorum, and such member may vote as if physically
1104 present. A speaker shall be used so that the conversation of
1105 those board or committee members attending by telephone may be
1106 heard by the board or committee members attending in person, as
1107 well as by members present at a meeting.

1108 3. Members of the board of directors may use e-mail as a
1109 means of communication but may not cast a vote on an association
1110 matter via e-mail.

1111 4. The right to attend meetings of the board of directors
1112 and its committees includes the right to speak at such meetings
1113 with reference to all designated agenda items. The association
1114 may adopt reasonable written rules governing the frequency,
1115 duration, and manner of members' statements. Any item not
1116 included on the notice may be taken up on an emergency basis by
1117 at least a majority plus one of the members of the board. Such
1118 emergency action shall be noticed and ratified at the next
1119 regular meeting of the board. Any member may tape record or
1120 videotape meetings of the board of directors and its committees,
1121 except meetings between the board of directors or its appointed
1122 homeowners' committee and the park owner. The division shall

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1123 adopt reasonable rules governing the tape recording and
1124 videotaping of the meeting.

1125 5. Except as provided in paragraph (i), a vacancy
1126 occurring on the board of directors may be filled by the
1127 affirmative vote of the majority of the remaining directors,
1128 even though the remaining directors constitute less than a
1129 quorum; by the sole remaining director; if the vacancy is not so
1130 filled or if no director remains, by the members; or, on the
1131 application of any person, by the circuit court of the county in
1132 which the registered office of the corporation is located.

1133 6. The term of a director elected or appointed to fill a
1134 vacancy expires at the next annual meeting at which directors
1135 are elected. A directorship to be filled by reason of an
1136 increase in the number of directors may be filled by the board
1137 of directors, but only for the term of office continuing until
1138 the next election of directors by the members.

1139 7. A vacancy that will occur at a specific later date, by
1140 reason of a resignation effective at a later date, may be filled
1141 before the vacancy occurs. However, the new director may not
1142 take office until the vacancy occurs.

1143 8.a. The officers and directors of the association have a
1144 fiduciary relationship to the members.

1145 b. A director and committee member shall discharge his or
1146 her duties in good faith, with the care an ordinarily prudent
1147 person in a like position would exercise under similar

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1148 | circumstances, and in a manner he or she reasonably believes to
1149 | be in the best interests of the corporation.

1150 | 9. In discharging his or her duties, a director may rely
1151 | on information, opinions, reports, or statements, including
1152 | financial statements and other financial data, if prepared or
1153 | presented by:

1154 | a. One or more officers or employees of the corporation
1155 | who the director reasonably believes to be reliable and
1156 | competent in the matters presented;

1157 | b. Legal counsel, public accountants, or other persons as
1158 | to matters the director reasonably believes are within the
1159 | persons' professional or expert competence; or

1160 | c. A committee of the board of directors of which he or
1161 | she is not a member if the director reasonably believes the
1162 | committee merits confidence.

1163 | 10. A director is not acting in good faith if he or she
1164 | has knowledge concerning the matter in question that makes
1165 | reliance otherwise permitted by subparagraph 9. unwarranted.

1166 | 11. A director is not liable for any action taken as a
1167 | director, or any failure to take any action, if he or she
1168 | performed the duties of his or her office in compliance with
1169 | this section.

1170 | (d) *Member meetings.*—Members shall meet at least once each
1171 | calendar year, and the meeting shall be the annual meeting. All
1172 | members of the board of directors shall be elected at the annual

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1173 meeting unless the bylaws provide for staggered election terms
1174 or for their election at another meeting. The bylaws shall not
1175 restrict any member desiring to be a candidate for board
1176 membership from being nominated from the floor. All nominations
1177 from the floor must be made at a duly noticed meeting of the
1178 members held at least 27 ~~30~~ days before the annual meeting. The
1179 bylaws shall provide the method for calling the meetings of the
1180 members, including annual meetings. The method shall provide at
1181 least 14 days' written notice to each member in advance of the
1182 meeting and require the posting in a conspicuous place on the
1183 park property of a notice of the meeting at least 14 days prior
1184 to the meeting. The right to receive written notice of
1185 membership meetings may be waived in writing by a member. Unless
1186 waived, the notice of the annual meeting shall be mailed, hand
1187 delivered, or electronically transmitted to each member, and
1188 shall constitute notice. Unless otherwise stated in the bylaws,
1189 an officer of the association shall provide an affidavit
1190 affirming that the notices were mailed, ~~or~~ hand delivered, or
1191 provided by electronic transmission in accordance with ~~the~~
1192 ~~provisions of~~ this section to each member at the address last
1193 furnished to the corporation. These meeting requirements do not
1194 prevent members from waiving notice of meetings or from acting
1195 by written agreement without meetings, if allowed by the bylaws.

1196 (e) *Minutes of meetings.*-

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1197 1. Notwithstanding any other provision of law, the minutes
1198 of board or committee meetings that are closed to members are
1199 privileged and confidential and are not available for inspection
1200 or photocopying.

1201 2. Minutes of all meetings of members of an association
1202 and meetings open for members of~~7~~ the board of directors, and a
1203 committee must be maintained in written form and approved by the
1204 members, board, or committee, as applicable. A vote or
1205 abstention from voting on each matter voted upon for each
1206 director present at a board meeting must be recorded in the
1207 minutes.

1208 ~~3.2.~~ All approved minutes of open meetings of members,
1209 committees, and the board of directors shall be kept in a
1210 businesslike manner and shall be available for inspection by
1211 members, or their authorized representatives, and board members
1212 at reasonable times. The association shall retain these minutes
1213 within this state for a period of at least 5 ~~7~~ years.

1214 (i) *Recall of board members.*—Any member of the board of
1215 directors may be recalled and removed from office with or
1216 without cause by the vote of or agreement in writing by a
1217 majority of all members. A special meeting of the members to
1218 recall a member or members of the board of directors may be
1219 called by 10 percent of the members giving notice of the meeting
1220 as required for a meeting of members, and the notice shall state
1221 the purpose of the meeting. Electronic transmission may not be

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1222 used as a method of giving notice of a meeting called in whole
1223 or in part for this purpose.

1224 1. If the recall is approved by a majority of all members
1225 by a vote at a meeting, the recall is effective as provided in
1226 this paragraph. The board shall duly notice and hold a board
1227 meeting within 5 full business days after the adjournment of the
1228 member meeting to recall one or more board members. At the
1229 meeting, the board shall either certify the recall, in which
1230 case such member or members shall be recalled effective
1231 immediately and shall turn over to the board within 5 full
1232 business days any and all records and property of the
1233 association in their possession, or shall proceed under
1234 subparagraph 3.

1235 2. If the proposed recall is by an agreement in writing by
1236 a majority of all members, the agreement in writing or a copy
1237 thereof shall be served on the association by certified mail or
1238 by personal service in the manner authorized by chapter 48 and
1239 the Florida Rules of Civil Procedure. The board of directors
1240 shall duly notice and hold a meeting of the board within 5 full
1241 business days after receipt of the agreement in writing. At the
1242 meeting, the board shall either certify the written agreement to
1243 recall members of the board, in which case such members shall be
1244 recalled effective immediately and shall turn over to the board,
1245 within 5 full business days, any and all records and property of

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1246 the association in their possession, or shall proceed as
1247 described in subparagraph 3.

1248 3. If the board determines not to certify the written
1249 agreement to recall members of the board, or does not certify
1250 the recall by a vote at a meeting, the board shall, within 5
1251 full business days after the board meeting, file with the
1252 division a petition for binding arbitration pursuant to the
1253 procedures of s. 723.1255. For purposes of this paragraph, the
1254 members who voted at the meeting or who executed the agreement
1255 in writing shall constitute one party under the petition for
1256 arbitration. If the arbitrator certifies the recall of a member
1257 of the board, the recall shall be effective upon mailing of the
1258 final order of arbitration to the association. If the
1259 association fails to comply with the order of the arbitrator,
1260 the division may take action under s. 723.006. A member so
1261 recalled shall deliver to the board any and all records and
1262 property of the association in the member's possession within 5
1263 full business days after the effective date of the recall.

1264 4. If the board fails to duly notice and hold a board
1265 meeting within 5 full business days after service of an
1266 agreement in writing or within 5 full business days after the
1267 adjournment of the members' recall meeting, the recall shall be
1268 deemed effective and the board members so recalled shall
1269 immediately turn over to the board all records and property of
1270 the association.

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1271 5. If the board fails to duly notice and hold the required
1272 meeting or fails to file the required petition, the member's
1273 representative may file a petition pursuant to s. 723.1255
1274 challenging the board's failure to act. The petition must be
1275 filed within 60 days after expiration of the applicable 5-full-
1276 business-day period. The review of a petition under this
1277 subparagraph is limited to the sufficiency of service on the
1278 board and the facial validity of the written agreement or
1279 ballots filed.

1280 6. If a vacancy occurs on the board as a result of a
1281 recall and less than a majority of the board members are
1282 removed, the vacancy may be filled by the affirmative vote of a
1283 majority of the remaining directors, notwithstanding any other
1284 provision of this chapter. If vacancies occur on the board as a
1285 result of a recall and a majority or more of the board members
1286 are removed, the vacancies shall be filled in accordance with
1287 procedural rules to be adopted by the division, which rules need
1288 not be consistent with this chapter. The rules must provide
1289 procedures governing the conduct of the recall election as well
1290 as the operation of the association during the period after a
1291 recall but before the recall election.

1292 7. A board member who has been recalled may file a
1293 petition pursuant to s. 723.1255 challenging the validity of the
1294 recall. The petition must be filed within 60 days after the

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1295 recall is deemed certified. The association and the member's
1296 representative shall be named as the respondents.

1297 8. The division may not accept for filing a recall
1298 petition, whether or not filed pursuant to this subsection, and
1299 regardless of whether the recall was certified, when there are
1300 60 or fewer days until the scheduled reelection of the board
1301 member sought to be recalled or when 60 or fewer days have not
1302 elapsed since the election of the board member sought to be
1303 recalled.

1304 Section 28. Paragraphs (d) and (f) through (i) of
1305 subsection (4) and subsection (5) of section 723.079, Florida
1306 Statutes, are amended to read:

1307 723.079 Powers and duties of homeowners' association.—

1308 (4) The association shall maintain the following items,
1309 when applicable, which constitute the official records of the
1310 association:

1311 (d) The approved minutes of all meetings of the members of
1312 an association and meetings open for members of, the board of
1313 directors, and committees of the board, which minutes must be
1314 retained within this ~~the~~ state for at least 5 ~~7~~ years.

1315 (f) All of the association's insurance policies or copies
1316 thereof, which must be retained within this state for at least 5
1317 7 years after the expiration date of the policy.

1318 (g) A copy of all contracts or agreements to which the
1319 association is a party, including, without limitation, any

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1320 written agreements with the park owner, lease, or other
1321 agreements or contracts under which the association or its
1322 members has any obligation or responsibility, which must be
1323 retained within this state for at least 5 7 years after the
1324 expiration date of the contract or agreement.

1325 (h) The financial and accounting records of the
1326 association, kept according to good accounting practices. All
1327 financial and accounting records must be maintained within this
1328 state for a period of at least 5 7 years. The financial and
1329 accounting records must include:

1330 1. Accurate, itemized, and detailed records of all
1331 receipts and expenditures.

1332 2. A current account and a periodic statement of the
1333 account for each member, designating the name and current
1334 address of each member who is obligated to pay dues or
1335 assessments, the due date and amount of each assessment or other
1336 charge against the member, the date and amount of each payment
1337 on the account, and the balance due.

1338 3. All tax returns, financial statements, and financial
1339 reports of the association.

1340 4. Any other records that identify, measure, record, or
1341 communicate financial information.

1342 (i) All other written records of the association not
1343 specifically included in the foregoing which are related to the
1344 operation of the association must be retained within this state

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1345 for at least 5 years or at least 5 years after the expiration
1346 date, as applicable.

1347 (5) The official records ~~shall be maintained within the~~
1348 ~~state for at least 7 years and~~ shall be made available to a
1349 member for inspection or photocopying within 20 ~~10~~ business days
1350 after receipt by the board or its designee of a written request
1351 submitted by certified mail, return receipt requested. The
1352 requirements of this subsection are satisfied by having a copy
1353 of the official records available for inspection or copying in
1354 the park or, at the option of the association, by making the
1355 records available to a member electronically via the Internet or
1356 by allowing the records to be viewed in electronic format on a
1357 computer screen and printed upon request. If the association has
1358 a photocopy machine available where the records are maintained,
1359 it must provide a member with copies on request during the
1360 inspection if the entire request is no more than 25 pages. An
1361 association shall allow a member or his or her authorized
1362 representative to use a portable device, including a smartphone,
1363 tablet, portable scanner, or any other technology capable of
1364 scanning or taking photographs, to make an electronic copy of
1365 the official records in lieu of the association's providing the
1366 member or his or her authorized representative with a copy of
1367 such records. The association may not charge a fee to a member
1368 or his or her authorized representative for the use of a
1369 portable device.

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1370 (a) The failure of an association to provide access to the
1371 records within 20 ~~10~~ business days after receipt of a written
1372 request submitted by certified mail, return receipt requested,
1373 creates a rebuttable presumption that the association willfully
1374 failed to comply with this subsection.

1375 (b) A member who is denied access to official records is
1376 entitled to ~~the actual damages or minimum~~ damages for the
1377 association's willful failure to comply with this subsection in
1378 the amount of. ~~The minimum damages are to be~~ \$10 per calendar
1379 day up to 10 days, not to exceed \$100. The calculation for
1380 damages begins ~~to begin~~ on the 21st ~~11th~~ business day after
1381 receipt of the written request, submitted by certified mail,
1382 return receipt requested.

1383 (c) A dispute between a member and an association
1384 regarding inspecting or photocopying official records must be
1385 submitted to mandatory binding arbitration with the division,
1386 and the arbitration must be conducted pursuant to s. 723.1255
1387 and procedural rules adopted by the division.

1388 (d) The association may adopt reasonable written rules
1389 governing the frequency, time, location, notice, records to be
1390 inspected, and manner of inspections, but may not require a
1391 member to demonstrate a proper purpose for the inspection, state
1392 a reason for the inspection, or limit a member's right to
1393 inspect records to less than 1 business day per month. The
1394 association may impose fees to cover the costs of providing

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1395 | copies of the official records, including the costs of copying
1396 | and for personnel to retrieve and copy the records if the time
1397 | spent retrieving and copying the records exceeds 30 minutes and
1398 | if the personnel costs do not exceed \$20 per hour. Personnel
1399 | costs may not be charged for records requests that result in the
1400 | copying of 25 or fewer pages. The association may charge up to
1401 | 25 cents per page for copies made on the association's
1402 | photocopier. If the association does not have a photocopy
1403 | machine available where the records are kept, or if the records
1404 | requested to be copied exceed 25 pages in length, the
1405 | association may have copies made by an outside duplicating
1406 | service and may charge the actual cost of copying, as supported
1407 | by the vendor invoice. The association shall maintain an
1408 | adequate number of copies of the recorded governing documents,
1409 | to ensure their availability to members and prospective members.
1410 | Notwithstanding this paragraph, the following records are not
1411 | accessible to members or home owners:

1412 | 1. A record protected by the lawyer-client privilege as
1413 | described in s. 90.502 and a record protected by the work-
1414 | product privilege, including, but not limited to, a record
1415 | prepared by an association attorney or prepared at the
1416 | attorney's express direction which reflects a mental impression,
1417 | conclusion, litigation strategy, or legal theory of the attorney
1418 | or the association and which was prepared exclusively for civil
1419 | or criminal litigation, for adversarial administrative

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1420 | proceedings, or in anticipation of such litigation or
1421 | proceedings until the conclusion of the litigation or
1422 | proceedings.

1423 | 2. E-mail addresses, telephone numbers, facsimile numbers,
1424 | emergency contact information, any addresses for a home owner
1425 | other than as provided for association notice requirements, and
1426 | other personal identifying information of any person, excluding
1427 | the person's name, lot designation, mailing address, and
1428 | property address. Notwithstanding the restrictions in this
1429 | subparagraph, an association may print and distribute to home
1430 | owners a directory containing the name, park address, and
1431 | telephone number of each home owner. However, a home owner may
1432 | exclude his or her telephone number from the directory by so
1433 | requesting in writing to the association. The association is not
1434 | liable for the disclosure of information that is protected under
1435 | this subparagraph if the information is included in an official
1436 | record of the association and is voluntarily provided by a home
1437 | owner and not requested by the association.

1438 | 3. An electronic security measure that is used by the
1439 | association to safeguard data, including passwords.

1440 | 4. The software and operating system used by the
1441 | association which allows the manipulation of data, even if the
1442 | home owner owns a copy of the same software used by the
1443 | association. The data is part of the official records of the
1444 | association.

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1445 Section 29. Section 723.1255, Florida Statutes, is amended
1446 to read:

1447 723.1255 Alternative resolution of recall, election, and
1448 inspection and photocopying of official records disputes.-

1449 (1) A dispute between a mobile home owner and a
1450 homeowners' association regarding the election and recall of
1451 officers or directors under s. 723.078(2)(b) or regarding the
1452 inspection and photocopying of official records under s.
1453 723.079(5) must be submitted to mandatory binding arbitration
1454 with the division. The arbitration shall be conducted in
1455 accordance with this section and the procedural rules adopted by
1456 the division.

1457 (2) Each party shall be responsible for paying its own
1458 attorney fees, expert and investigator fees, and associated
1459 costs. The cost of the arbitrators shall be divided equally
1460 between the parties regardless of the outcome.

1461 (3) The division shall adopt procedural rules to govern
1462 mandatory binding arbitration proceedings ~~The Division of~~
1463 ~~Florida Condominiums, Timeshares, and Mobile Homes of the~~
1464 ~~Department of Business and Professional Regulation shall adopt~~
1465 ~~rules of procedure to govern binding recall arbitration~~
1466 ~~proceedings.~~

1467 Section 30. For the purpose of incorporating the amendment
1468 made by this act to section 420.5087, Florida Statutes, in a

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1469 reference thereto, paragraph (i) of subsection (22) of section
1470 420.507, Florida Statutes, is reenacted to read:

1471 420.507 Powers of the corporation.—The corporation shall
1472 have all the powers necessary or convenient to carry out and
1473 effectuate the purposes and provisions of this part, including
1474 the following powers which are in addition to all other powers
1475 granted by other provisions of this part:

1476 (22) To develop and administer the State Apartment
1477 Incentive Loan Program. In developing and administering that
1478 program, the corporation may:

1479 (i) Establish, by rule, the procedure for competitively
1480 evaluating and selecting all applications for funding based on
1481 the criteria set forth in s. 420.5087(6)(c), determining actual
1482 loan amounts, making and servicing loans, and exercising the
1483 powers authorized in this subsection.

1484 Section 31. For the purpose of incorporating the amendment
1485 made by this act to section 420.5095, Florida Statutes, in a
1486 reference thereto, subsection (2) of section 193.018, Florida
1487 Statutes, is reenacted to read:

1488 193.018 Land owned by a community land trust used to
1489 provide affordable housing; assessment; structural improvements,
1490 condominium parcels, and cooperative parcels.—

1491 (2) A community land trust may convey structural
1492 improvements, condominium parcels, or cooperative parcels, that
1493 are located on specific parcels of land that are identified by a

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1494 | legal description contained in and subject to a ground lease
1495 | having a term of at least 99 years, for the purpose of providing
1496 | affordable housing to natural persons or families who meet the
1497 | extremely-low-income, very-low-income, low-income, or moderate-
1498 | income limits specified in s. 420.0004, or the income limits for
1499 | workforce housing, as defined in s. 420.5095(3). A community
1500 | land trust shall retain a preemptive option to purchase any
1501 | structural improvements, condominium parcels, or cooperative
1502 | parcels on the land at a price determined by a formula specified
1503 | in the ground lease which is designed to ensure that the
1504 | structural improvements, condominium parcels, or cooperative
1505 | parcels remain affordable.

1506 | Section 32. This act shall take effect July 1, 2020

1507 |

1508 | -----

1509 | **T I T L E A M E N D M E N T**

1510 | Remove everything before the enacting clause and insert:

1511 | An act relating to housing; amending s. 125.01055, F.S.;

1512 | authorizing a board of county commissioners to approve

1513 | development of affordable housing on any parcel zoned for

1514 | residential, commercial, or industrial use; amending s.

1515 | 163.31771, F.S.; revising legislative findings; requiring local

1516 | governments to adopt ordinances that allow accessory dwelling

1517 | units in any area zoned for single-family residential use;

1518 | amending s. 163.31801, F.S.; requiring counties, municipalities,

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1519 and special districts to include certain data relating to impact
1520 fees in their annual financial reports; amending s. 166.04151,
1521 F.S.; authorizing governing bodies of municipalities to approve
1522 the development of affordable housing on any parcel zoned for
1523 residential, commercial, or industrial use; amending s. 212.05,
1524 F.S.; decreasing the sales tax rate on sales of new mobile
1525 homes; amending s. 320.77, F.S.; revising a certification
1526 requirement for mobile home dealer applicants relating to the
1527 applicant's business location; amending s. 320.771, F.S.;
1528 exempting certain recreational vehicle dealer applicants from a
1529 garage liability insurance requirement; amending s. 320.822,
1530 F.S.; revising the definition of the term "code"; amending s.
1531 320.8232, F.S.; revising applicable standards for the repair and
1532 remodeling of mobile and manufactured homes; amending s.
1533 367.022, F.S.; exempting certain mobile home park and mobile
1534 home subdivision owners from regulation by the Florida Public
1535 Service Commission relating to water and wastewater service;
1536 revising an exemption from regulation for certain water and
1537 wastewater service resellers; amending s. 420.5087, F.S.;
1538 revising the criteria used by a review committee when evaluating
1539 and selecting specified applications for state apartment
1540 incentive loans; amending s. 420.5095, F.S.; renaming the
1541 Community Workforce Housing Innovation Pilot Program as the
1542 Community Workforce Housing Loan Program; requiring the program
1543 to provide workforce housing; revising the definition of the

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Amendment No.

1544 term "workforce housing"; deleting the definition of the term
1545 "public-private partnership"; authorizing the Florida Housing
1546 Finance Corporation to provide loans under the program to
1547 applicants for construction of workforce housing; requiring the
1548 corporation to establish a certain loan application process;
1549 deleting provisions requiring the corporation to provide
1550 incentives for local governments to use certain funds; requiring
1551 projects to receive priority consideration for funding under
1552 certain circumstances; deleting a provision providing for the
1553 expedition of local government comprehensive plan amendments to
1554 implement a program project; requiring that the corporation
1555 award loans at a specified interest rate and for a limited term;
1556 conforming provisions to changes made by the act; amending s.
1557 420.531, F.S.; specifying that technical support provided to
1558 local governments and community-based organizations includes
1559 implementation of the State Apartment Incentive Loan Program;
1560 requiring the entity providing training and technical assistance
1561 to convene and administer biannual regional workshops; requiring
1562 such entity to annually compile and submit certain information
1563 to the Legislature and the corporation by a specified date;
1564 amending s. 420.9073, F.S.; authorizing the corporation to
1565 withhold a certain portion of funds distributed from the Local
1566 Government Housing Trust Fund to be used for certain
1567 transitional housing; prohibiting such funds from being used for
1568 specified purposes; requiring the corporation to consult with

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1339 (2020)

Amendment No.

1569 the Department of Children and Families to create minimum
1570 criteria for such housing; providing for the distribution of
1571 withheld funds; amending s. 420.9075, F.S.; revising
1572 requirements for reports submitted by counties and certain
1573 municipalities to the corporation; amending s. 420.9076, F.S.;
1574 revising the membership of local affordable housing advisory
1575 committees beginning on a specified date; requiring the
1576 committees to perform specified duties annually instead of
1577 triennially; requiring locally elected officials serving on
1578 advisory committees, or their designees, to attend biannual
1579 regional workshops; providing a penalty; amending s. 723.011,
1580 F.S.; providing construction relating to rental agreements and
1581 tenancies; providing that a mobile home owner, to become an
1582 approved tenant, may be required to install permanent
1583 improvements as disclosed in the mobile home park owner's
1584 prospectus; amending s. 723.012, F.S.; authorizing mobile home
1585 park owners to make certain prospectus amendments; providing
1586 that certain improvements and changes may be, but are not
1587 required to be, disclosed by amendment to the prospectus;
1588 authorizing park owners to amend prospectuses to provide certain
1589 additional facilities and services to the mobile home park under
1590 certain circumstances; conforming a provision to changes made by
1591 the act; amending s. 723.023, F.S.; adding general obligations
1592 for mobile home owners; amending s. 723.031, F.S.; specifying a
1593 requirement for disclosing and agreeing to a mobile home lot

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1339 (2020)

Amendment No.

1594 rental increase; revising construction relating to a park
1595 owner's disclosure of certain taxes and assessments; amending s.
1596 723.037, F.S.; authorizing mobile home park owners to give
1597 notice of lot rental increases for multiple anniversary dates in
1598 one notice; providing construction; specifying the composition
1599 of a certain negotiating committee; specifying the lot rental
1600 amount increases the committee must address in meetings with the
1601 park owner or subdivision developer;
1602 amending s. 723.041, F.S.; providing that a mobile home park
1603 damaged or destroyed due to natural forces may be rebuilt with
1604 the same density as previously approved, permitted, or built;
1605 providing construction; amending s. 723.042, F.S.; conforming a
1606 provision to changes made by the act; amending s. 723.059, F.S.;
1607 deleting certain purchasers' rights to assume the remainder of a
1608 rental agreement term; requiring certain purchasers to enter
1609 into a new lot rental agreement with the park owner; revising
1610 requirements for the disclosure of lot rental amounts for new
1611 tenancies; amending s. 723.061, F.S.; revising a requirement
1612 related to mailing eviction notices; specifying the waiver and
1613 nonwaiver of certain rights of the park owner under certain
1614 circumstances; requiring the accounting at final hearing of
1615 rents received; requiring a tenant defending certain actions by
1616 a landlord to comply with certain requirements; amending s.
1617 723.076, F.S., requiring homeowners' associations to notify park
1618 owners upon the election or appointment of new officers or

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1339 (2020)

Amendment No.

1619 members; amending s. 723.078, F.S., revising requirements for
1620 board elections and ballots; requiring an impartial committee to
1621 be responsible for overseeing the election process and complying
1622 with ballot requirements; defining the term "impartial
1623 committee"; requiring that association bylaws provide a method
1624 for determining the winner of an election in which two or more
1625 candidates receive the same number of votes; prohibiting certain
1626 persons from seeking election to a board and from being eligible
1627 for board membership; specifying that actions taken by a board
1628 are not invalid because a member is later determined to be
1629 ineligible for board membership; requiring the division to adopt
1630 rules; expanding the types of meetings that are not required to
1631 be open to members; making technical changes; providing an
1632 exception to a provision requiring an officer of an association
1633 to provide an affidavit affirming certain information; providing
1634 that the minutes of certain board and committee meetings are
1635 privileged and confidential; conforming provisions to changes
1636 made by the act; amending s. 723.079, F.S., revising homeowners'
1637 association recordkeeping requirements; revising the timeframe
1638 for which records are required to be made available for
1639 inspection or photocopying; capping the amount of damages for
1640 which an association is liable when a member is denied access to
1641 official records; requiring that certain disputes be submitted
1642 to mandatory binding arbitration with the division; amending s.
1643 723.1255, F.S., requiring that certain disputes be submitted to

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1339 (2020)

Amendment No.

1644 | mandatory binding arbitration with the division; providing
1645 | requirements for such arbitration; requiring the division to
1646 | adopt rules; reenacting s. 420.507(22)(i), F.S., relating to
1647 | powers of the Florida Housing Finance Corporation, to
1648 | incorporate the amendment made to s. 420.5087, F.S., in a
1649 | reference thereto; reenacting s. 193.018(2), F.S., relating to
1650 | land owned by a community land trust used to provide affordable
1651 | housing, to incorporate the amendment made to s. 420.5095, F.S.,
1652 | in a reference thereto; providing an effective date.